

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
NORTHERN DIVISION**

Yang, et al.)	
)	
Plaintiffs,)	
)	Case No. 1:20-CV-760
v.)	
)	
Powers, et al.)	
)	
Defendants.)	

**MOTION FOR A PRELIMINARY INJUNCTION AGAINST
DEFENDANTS HEINRICH AND KOWALIK**

Pursuant to Federal Rule of Civil Procedure 65(a)(1), Plaintiffs move the court to issue a preliminary injunction:

- (1) restraining Defendant Janel Heinrich from any further administration or enforcement of “Emergency Order # 7” of Public Health Madison and Dane County, which was issued on July 1, 2020 and effective today, July 2, 2020;
- (2) restraining Defendant Jeanette Kowalik from any further administration or enforcement of City of Milwaukee Health Department “Order #4,” which was issued on June 26, 2020 with an effective date of July 1, 2020;
- (3) restraining Defendants Heinrich and Kowalik from issuing any other “Order” that restricts private gatherings; imposes restrictions on public gatherings except where public gatherings are “forbidden” by law; and
- (4) restraining Defendants Heinrich and Kowalik from issuing any further order that prohibits Plaintiffs from exercising their rights to the same extent the Orders allow others to do so without restriction.¹

¹ In less than two months, these two defendants have promulgated eleven (11) different orders.

This motion is brought against Defendants Heinrich and Kowalik in their official capacity for purposes of declaratory and injunctive relief. Plaintiffs request the Court waive the bond requirement of Federal Rule of Civil Procedure 65. “Waiving the bond requirement is particularly appropriate where a plaintiff alleges the infringement of a fundamental constitutional right.” *See Soos v. Cuomo*, Case No. 20-CV-651, slip. op. at pg. 35-36, 2020 WL 3488742 (N.D.N.Y. June 26, 2020).

DATED this 3rd day of July, 2020

and Respectfully submitted

s/ Joseph W. Voiland

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